HIGH COURT OF UTTARANCHAL AT NAINITAL

Government Appeal No. 1865 of 2001
(Old No. 398/1999)

State of Uttaranchal ..... Appellant

Versus

Munna @ Mani Ram s/o Mussadi
Village Rudali, P.S. Nagalhedi,
District Saharanpur ..... Respondent

Dated: 11.12.2006

Hon'ble Rajesh Tandon,J.

This is a State appeal filed against the judgment and order dated 2.11.1998 passed by the Additional Chief Judicial Magistrate, Rroorkee, District Haridwar in criminal case No. 540 of 1997, State vs. Munna under section 25 of the Arms Act, thereby acquitting the accused.

The case of the prosecution is that accused was found in possession of a country made pistol with one cartridge on 22.12.1991 at 7.00 AM at Gangalhedi Road, Bhagwanpur, District Haridwar. A case under section 25 of the Arms Act was registered against the accused and after investigation charge sheet was filed. The accused was tried by the Additional Chief Judicial Magistrate, who after considering the evidence on record acquitted the accused vide impugned order dated 2.11.1998, against which the present appeal has been filed.

I have gone through the order passed by the Additional Chief Judicial Magistrate. I find no infirmity and irregularity in

the order passed by the learned magistrate. The leave application has, therefore, no merit.

The leave to appeal application is, therefore, rejected.

Consequently, the appeal is dismissed.

Dated: 11.12.2006 **Rajesh Tandon, J.**
*Dhyani